

MILBERG WEISS BERSHAD  
& SCHULMAN LLP  
JEFF S. WESTERMAN (94559)  
CHERYL A. WILLIAMS (193532)  
MICHIYO MICHELLE FURUKAWA (234121)  
One California Plaza  
300 South Grand Avenue, Suite 3900  
Los Angeles, CA 90071  
Telephone: (213) 617-1200  
Facsimile: (213) 617-1975

Lead Counsel for Plaintiffs

GIRARD GIBBS LLP  
DANIEL C. GIRARD (SBN 114826)  
JONATHAN K. LEVINE (SBN 220289)  
AARON M. SHEANIN (SBN 214472)  
601 California Street, Suite 1400  
San Francisco, CA 94108  
Telephone: (415) 981-4800  
Facsimile: (415) 981-4846

Local Counsel for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

In re	)	Master File No. C-04-2297 SC
OMNIVISION TECHNOLOGIES, INC.,	)	
	)	<u>CLASS ACTION</u>
	)	
This Document Relates To:	)	NOTICE TO COURT OF (1) SETTLEMENT
	)	IN PRINCIPLE; AND (2) STIPULATION
CASE NOS. 04-2297-SC; 04-2298-SC; 04-	)	AND <del>[PROPOSED]</del> ORDER RE PENDING
2385-SC; 04-2410-SC; 04-2419-SC; 04-2425-	)	MOTIONS
SC; 04-2433-SC; 04-2474-SC; 04-2514-SC;	)	
04-2525-SC; 04-2570-SC; and 04-4350-SC	)	
	)	

STIPULATION & [PROPOSED] ORDER RE PENDING MOTIONS

Case No. C-04-2297 SC

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# **STIPULATION**

The parties have reached an agreement in principle to settle this action and are in the process of preparing settlement documents. There are three motions currently on file in this action and two of them are submitted. The parties request that the three motions be handled as follows:

1. The parties hereby request that the Court defer ruling on Lead Plaintiffs' Motion for Class Certification, currently under submission, because class certification will be addressed by agreement in the motions for preliminary and final approval of the settlement.

2. The parties hereby request that the Court rule on Lead Plaintiffs' unopposed Motion to Withdraw Plaintiff Anthony P. Broccoli as Lead Plaintiff, also currently under submission.

3. The parties hereby agree that Lead Plaintiffs' Motion for Letter of Request for International Judicial Assistance, currently scheduled for hearing on December 1, 2006, be taken off calendar.

NOW THEREFORE, the parties to this action, by and through their attorneys, hereby STIPULATE AND AGREE as follows:

1. The ruling on Lead Plaintiffs' Motion for Class Certification shall be deferred, pending submission of the motion for preliminary approval of the settlement;

2. Lead Plaintiffs' unopposed Motion to Withdraw Plaintiff Anthony P. Broccoli as Lead Plaintiff shall proceed as currently submitted;

3. Lead Plaintiffs' Motion for Letter of Request for International Judicial Assistance set for hearing on December 1, 2006 shall be taken off calendar.

DATED: November 22, 2006

MILBERG WEISS BERSHAD  
& SCHULMAN LLP  
JEFF S. WESTERMAN  
CHERYL A. WILLIAMS  
MICHIO MICHELLE FURUKAWA

/s/ Cheryl A. Williams  
CHERYL A. WILLIAMS

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One California Plaza  
300 S. Grand Avenue, Suite 3900  
Los Angeles, CA 90071  
Telephone: (213) 617-1200  
Facsimile: (213) 617-1975

Lead Counsel for Plaintiffs

DATED: November 22, 2006

WILSON SONSINI GOODRICH  
& ROSATI  
DOUGLAS J. CLARK  
JARED L. KOPEL  
CAMERON P. HOFFMAN  
KELLEY E. MOOHR

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*/s/ Kelley E. Moohr*  
KELLEY E. MOOHR

650 Page Mill Road  
Palo Alto, CA 94304-1050  
Telephone: (650) 493-9300  
Facsimile: (650) 493-6811

Attorneys for Defendants OMNIVISION  
TECHNOLOGIES, INC., SHAW HONG,  
RAYMOND WU, H. GENE McCOWN and  
JOHN T. ROSSI


\* \* \*

**ORDER**

Pursuant to the parties' stipulation, the Court hereby orders as follows:

1. The ruling on Lead Plaintiffs' Motion for Class Certification shall be deferred until submission of the motion for preliminary approval of the settlement.
2. Lead Plaintiffs' Motion to Withdraw Plaintiff Anthony P. Broccoli as Lead Plaintiff shall proceed as currently submitted.
3. Lead Plaintiffs' Motion for Letter of Request for International Judicial Assistance set for December 1, 2006 is off calendar.

DATED: 11/27/06

  
THE HON. SAMUEL CONTI  
UNITED STATES DISTRICT JUDGE

DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, I am employed in the County of Los Angeles, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is One California Plaza, 300 South Grand Avenue, Suite 3900, Los Angeles, California 90071-3149.

2. That on November 22, 2006, declarant served the NOTICE TO COURT OF (1) SETTLEMENT IN PRINCIPLE; AND (2) STIPULATION AND [PROPOSED] ORDER RE PENDING MOTIONS by depositing a true copy thereof in a United States mailbox at Los Angeles, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 22nd day of November, 2006, at Los Angeles, California.

/s/ Ann Marie Genovese  
ANN MARIE GENOVESE

**OMNIVISION  
SERVICE LIST**

***Counsel for Plaintiffs***

Jeff S. Westerman  
Cheryl A. Williams  
Michiyo Michelle Furukawa  
MILBERG WEISS BERSHAD  
& SCHULMAN LLP  
One California Plaza  
300 S. Grand Avenue, Suite 3900  
Los Angeles, CA 90071  
Telephone: (213) 617-1200  
Facsimile: (213) 617-1975

Eric T. Chaffin  
Rick M. Barreca  
SEEGER WEISS LLP  
One William Street  
New York, NY 10004  
Telephone: (212) 584-0700  
Facsimile: (212) 584-0799

Daniel C. Girard  
Jonathan K. Levine  
Aaron M. Sheanin  
GIRARD GIBBS LLP  
601 California Street, Suite 1400  
San Francisco, CA 94108  
Telephone: (415) 981-4800  
Facsimile: (415) 981-4846

Charles J. Piven  
BROWER PIVEN, A PROFESSIONAL  
ASSOCIATION  
The World Trade Center-Baltimore  
401 East Pratt Street, Suite 2525  
Baltimore, Maryland 21202  
Telephone: (410) 332-0030  
Facsimile: (410) 685-1300

Thomas J. McKenna  
GAINEY & MCKENNA  
295 Madison Avenue  
Fourth Floor  
New York, NY 10017  
Telephone: (212) 983-1300  
Facsimile: (212) 983-0383

***Counsel for Defendants***

Jenny L. Dixon  
WILSON SONSINI GOODRICH & ROSATI  
One Market, Spear Tower, Suite 3300  
San Francisco, CA 94105  
Telephone: (415) 947-2000  
Facsimile: (415) 947-2099

Douglas J. Clark  
Jared L. Kopel  
Cameron P. Hoffman  
Kelley E. Moohr  
WILSON SONSINI GOODRICH  
& ROSATI  
650 Page Mill Road  
Palo Alto, CA 94304-1050  
Telephone: (650) 493-9300  
Facsimile: (650) 493-6811

*Attorney for Omnivision Technologies, Inc.,  
Shaw Hong, John T. Rossi, H. Gene McCown,  
and Raymond Wu.*